

JB

Notice of Allowability

Application No.

09/642,358

Examiner

Daniel L. Greene

Applicant(s)

OR-BACH ET AL.

Art Unit

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9/27/2004.
2. ☒ The allowed claim(s) is/are 3,5,8,9 and 33-36.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 11/16/2004.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 5/18/2004
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 11/10/2004 .
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

Drawings

1. New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because the drawings are sketches done in a free hand style and do not conform to acceptable drawing standards. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Kenneth E. Leeds on 11/10/2004.

The application has been amended as follows:

Specification

The section labeled CROSS REFERENCE TO RELATED APPLICATIONS is to be changed to:

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This application is a continuation in part of our copending U.S. Patent Applications 09/524,060 and abandoned, 09/481,783, filed March 13, 2000 and January 11, 2000, respectively. The '060 and '783 applications are incorporated by reference.

Claims

Cancel claims 1, 2, 6, 7, 10-28 and 30-32.

Amend claim 5.

5. A system comprising:

a delivery vehicle;

a set of packages within said vehicle, said packages having at least one signal responsive tag;

a transmitter for querying one of the tags within said vehicle to thereby locate the package corresponding to said tag, said tag generating a signal in response to said querying; and

~~a pointing device~~ at least one light beam source for identifying a package corresponding to said queried tag by pointing toward said package in a direction responsive to said signal generated by said tag.

Add claims 33-36 as per:

33. A system comprising:

a set of packages, said packages having a signal responsive tag;

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_____ a transmitter for querying one of the tags to thereby locate the package
corresponding to said tag, said tag generating a signal in response to said querying;
and

_____ at least one light beam source for identifying said package corresponding to said
queried tag by pointing toward said package in a direction responsive to said signal
generated by said tag.

34.. System of claim 33 wherein said tags are RFIDs and said pointing device
generates one or more light beams for pointing toward said package.

35. Method for locating a package comprising:
_____ providing a package, said package having a signal responsive tag;
_____ providing a signal for querying said signal responsive tag;
_____ receiving a reply signal from said tag; and
_____ determining the location of the tag in response to the reply signal and
indicating the location of the tag using one or more light beams, said one or more light
beams pointing toward the package corresponding to said queried tag in a direction
responsive to said reply signal.

36. Method of claim 35 wherein said tag is an RFID and said pointing device
generates one or more light beams for pointing toward said package.

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2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. SYSTEM AND METHOD FOR FINDING A SPECIFIC RFID TAGGED ARTICLE LOCATED IN A PLURALITY OF RFID TAGGED ARTICLES-US 6,354,493. Provide the means for finding an item in a plurality of items by following the signal of the RFID.

b. INTERROGATING TAGS ON MULTIPLE FREQUENCIES AND SYNCHRONIZING DATABASES USING TRANSFERRABLE AGENTS-US 6,509,828. Provides the means for locating an asset via a Global Positioning System utilizing different RFID frequencies.

c. METHOD AND SYSTEM FOR TRACKING CLUSTERED ITEMS-US 6,496,806. Warehousing of multiple items on a pallet that is monitored via the forklift and central computer to identify location.

d. METHOD AND APPARATUS FOR LOCATING AND TRACKING DOCUMENTS AND OTHER OBJECTS-US 5,936,527. Provides the means to locate an item in a specific location within a room.

3. The following is an examiner's statement of reasons for allowance:

4.

As per claim 3, the closest prior art of record, Belcher et al. US-5,920,287, Garber et al. US 6,232,870, and Mon US 6,354,493 taken either individually or in combination with other prior art of record fails to teach or suggest a set of packages

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within a delivery vehicle having signal responsive tags that emit a signal in response to a querying signal generated by a transmitter that is used to direct a light beam to the responding tag.

The specific allowable feature, which distinguishes the present invention over the prior art is at least one light beam source for pointing to the tag that is responding to the transmitter signal.

As per claim 5, the closest prior art of record, Belcher et al. US-5,920,287, Garber et al. US 6,232,870, and Mon US 6,354,493 taken either individually or in combination with other prior art of record fails to teach or suggest a set of packages within a delivery vehicle having signal responsive tags that emit a signal in response to a querying signal generated by a transmitter that is used to direct at least one light beam source to the responding tag.

The specific allowable feature, which distinguishes the present invention over the prior art is at least one light beam source for pointing to the tag that is responding to the transmitter signal.

As per claim 8, the closest prior art of record, Belcher et al. US-5,920,287, Garber et al. US 6,232,870, and Mon US 6,354,493 taken either individually or in combination with other prior art of record fails to teach or suggest, providing a signal for querying a signal responsive tag within or affixed to packages within a vehicle that provides a reply signal that is used to directing light beams

The specific allowable feature, which distinguishes the present invention over the prior art is at least one light beam source for pointing to the tag that is responding to the transmitter signal.

Claim 9 is dependent upon Claim 8 and thus has all the limitations of claim 8 and is allowable for that reason.

As per claim 33, the closest prior art of record, Belcher et al. US-5,920,287, Garber et al. US 6,232,870, and Mon US 6,354,493 taken either individually or in combination with other prior art of record fails to teach or suggest a set of objects having signal responsive tags that emit a signal in response to a querying signal generated by a transmitter that is used to direct at least one light beam source to the responding tag.

The specific allowable feature, which distinguishes the present invention over the prior art is at least one light beam source for pointing to the tag that is responding to the transmitter signal.

Claim 34 is dependent upon Claim 33 and thus has all the limitations of claim 33 and is allowable for that reason.

As per claim 35, the closest prior art of record, Belcher et al. US-5,920,287, Garber et al. US 6,232,870, and Mon US 6,354,493 taken either individually or in combination with other prior art of record fails to teach or suggest an object having

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signal responsive tags that emit a signal in response to a querying signal generated by a transmitter that is used to direct at least one light beam source to the responding tag.

The specific allowable feature, which distinguishes the present invention over the prior art is at least one light beam source for pointing to the tag that is responding to the transmitter signal.

Claim 36 is dependent upon Claim 35 and thus has all the limitations of claim 35 and is allowable for that reason.

5.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel L. Greene whose telephone number is 703-306-5539. The examiner can normally be reached on M-Thur. 8am-6pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James P. Trammell can be reached on 703-305-9768. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

11/16/2004

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